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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$ 168**Complete if Known**

Application Number **09/942,936**
 Filing Date **August 31, 2001**
 First Named Inventor **Brigitte BATHE, et al.**
 Examiner Name **C. Fronda**
 Group / Art Unit **1652**
 Attorney Docket No. **032301 WN 205**

METHOD OF PAYMENT (check all that apply)
☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit
Account
Number

02-4300

Deposit
Account
Name

Smith, Gambrell & Russell

The Commissioner is authorized to: (check all that apply)

☒ Charge any additional fee(s) ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

2. EXTRA CLAIM FEES

Total Claims	31	-31 **	=	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims	7	-5 **	=	2	X	84	=	168
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 168

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) **For Robert G. Weilacher** Registration No. Attorney/Agent **20,531** Telephone **(202) 263-4300**
 Signature **[Signature]** Date **April 22, 2003**

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Attorney Docket :
032301 WN 205

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Brigitte BATHE, *et al.*

Serial No. : 09/942,936

Filed: August 31, 2001

For : NUCLEOTIDE SEQUENCES WHICH CODE FOR THE *sigH* GENE

Examiner: C. FRONDA

Group Art Unit: 1652

TECH CENTER 1600/2900

APR 25 2003

RECEIVED

AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

A response to the Office Action dated January 28, 2003 (Paper No. 15) is due by April 28, 2003. Therefore, please accept this Amendment as timely filed and fully responsive.

In response to Paper No. 15, kindly amend the above-identified patent application as follows:

IN THE CLAIMS:

Cancel claims 13-28, 30, and 31 without prejudice or disclaimer.

Please amend claim 10 as shown in the attached MARKED-UP PREVIOUS VERSION OF AMENDED CLAIMS.

Please replace claim 10 with the amended version thereof as shown in the attached CLEAN COPY OF THE AMENDED AND NEW CLAIMS.